

Date..... September 22, 2008

WHEREAS, on July 14, 2008 by Roll Call No. 08-1275, the City Council initiated the rezoning of a portion of the Riverbend Neighborhood to an R1-60 One-Family Low Density Residential District; and,

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on August 21, 2008, its members voted 14-0 in support of a motion to recommend **APPROVAL** of the rezoning of that portion of the Riverbend Neighborhood described in Exhibit "A" and depicted on the map in Exhibit "B", from the "R-3" Multiple Family Residential District and "M-1" Light Industrial District to the "R1-60" One-Family Low-Density Residential District; and,

WHEREAS, on September 8, 2008, by Roll Call No. 08-1580, it was duly resolved by the City Council that the above-described rezoning be set down for hearing on September 22, 2008, at 5:00 P.M., in the Council Chambers at City Hall; and,

WHEREAS, due notice of said hearing was published in the Des Moines Register on September 11, 2008, as provided by law, setting forth the time and place for hearing on said proposed amendment to the Zoning Ordinance; and,

WHEREAS, in accordance with said notice those interested in said proposed rezoning, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council; and,

WHEREAS, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the property described in Exhibit "A" from "R-3" Multiple Family Residential District and "M-1" Light Industrial District to the "R1-60" One-Family Low-Density Residential District.

(continued)

Date..... September 22, 2008


NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. Upon due consideration of the facts, statements of interested persons and arguments of counsel, the objections to the proposed rezoning of the Property to the R1-60 One-Family Low-Density Residential District are hereby overruled, and the hearing is closed.
2. The proposed rezoning is hereby found to be in conformance with the Des Moines 2020 Community Character Land Use Plan.

MOVED by _____ to adopt and approve the rezoning, subject to final passage of the rezoning ordinance and to deleting from the rezoning the properties located at 1243 7th Street and 1804 Arlington Street, and subject to amending the rezoning for 1233 7th Street to Limited R-3 classification that is restricted to single-family or two-family uses.

(Council Communication No. 09-579)

FORM APPROVED:


 Michael F. Kelley
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLISSIS				
TOTAL				

MOTION CARRIED

APPROVED

.....
 Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 City Clerk

48

CONNOLLY O'MALLEY LILLIS HANSEN OLSON LLP

ATTORNEYS AT LAW

317 SIXTH AVENUE, SUITE 300
DES MOINES, IOWA 50309-4127

TELEPHONE (515) 243-8157

FAX (515) 243-3919

WWW.CONNOLLYLAWFIRM.COM

Writer's Direct E-Mail Address: dmanning@connollylawfirm.com

JOHN CONNOLLY, JR. (1891-1975)
GEORGE E. O'MALLEY (1905-1982)
JOHN CONNOLLY III (1918-1998)
BERNARD J. CONNOLLY (1920-1970)
C. I. McNUTT (1901-1958)

ESTABLISHED IN 1917

*LICENSED IN IOWA & ILLINOIS

WILLIAM J. LILLIS
RUSSELL J. HANSEN
MICHAEL W. O'MALLEY
EUGENE E. OLSON
STREETAR CAMERON
DANIEL L. MANNING
CHRISTOPHER R. POSE
ADAM C. VAN DIKE
JOEL B. TEMPLEMAN*

September 19, 2008

Mayor Frank Cownie and
Members of the Des Moines City Council
400 Robert D. Ray Drive
Des Moines, IA 50309

RE: 1317 - 8th Street, 1301 - 8th Street, 713 Indiana and 1310 - 7th Street
Catholic Worker House - Proposed River Bend Rezoning

FILED
CITY CLERK
DES MOINES, IOWA
2008 SEP 19 PM 2:05

Dear Mayor Cownie and Members of the Des Moines City Council:

Please be advised that the Catholic Worker Trust is the owner of certain property located within the River Bend Rezoning Area initiated by the City of Des Moines.

These particular properties are currently zoned R-3 and have been in place since the early 1980's. Primarily the property at 1310 - 7th Street (Dingeman House) is specifically utilized as a home where meals are provided to individuals on a daily basis. Meals are provided, whether individuals are homeless or whether they live in homes within the Des Moines community. No distinction is made, and anyone who comes to the facility is given a warm meal. The individuals who are provided meals do not reside at this facility. The individual comes to the facility, eats a meal, and returns to either their home or to the temporary shelter in which they are currently residing.

This property is a permitted use under R-3, Multiple Family Residential, as we believe a religious, education or philanthropic nature. To down zone this property would place it in a legal nonconforming status and may jeopardize its ability to function in its present use into the future, for example, if the property were ever damaged or destroyed by an act of nature.

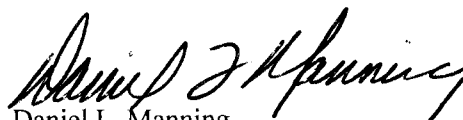
While we have no objection to the overall efforts being made by the River Bend Neighborhood, we ask that these particular properties be separately considered and that they retain their R-3 zoning.

In the alternative, we provide you with an Acceptance of limited R-3 classification at 1310-7th Street, which we ask that you consider for the Dingeman House.

A map of the rezoning area is enclosed. The properties in question are highlighted.

Should you have any questions or comments, please advise.

Very truly yours,


Daniel L. Manning
For the Firm

DLM:smn
Enc.

Prepared by: Daniel L. Manning AT0004917, 317-6th Avenue, Ste. 300, Des Moines, IA 50309
515-243-8157
Taxpayer: No change
Title of Document: Acceptance of Rezoning Ordinance
Grantor's Name: Catholic Worker Trust
Grantee's Name: City of Des Moines, Iowa
Legal Description:

Lot 81 and the S ½ of Lot 80 in north Park Subdivision, now included in and forming a part of the City of Des Moines, Polk County, Iowa.

ACCEPTANCE OF REZONING ORDINANCE

The undersigned, Catholic Worker Trust, hereby states, warrants and agrees as follows:

1. That Catholic Worker Trust is the sole owner of the Property in the vicinity of 1310 - 7th Street, more specifically described above.

2. That in the event the City of Des Moines, Iowa, acts to rezone the Property from the "R-3" Multiple-Family Residential District to a Limited "R-3" Multiple-Family Residential District classification, we agree and accept on behalf of the owners to the imposition of the following conditions to run with the land and be binding upon all successors, heirs and assigns as part of the ordinance so rezoning the Property:

Only the following uses of structures and land shall be permitted upon the Property described above:

- 1) Any use as allowed in and subject to the limitations in the "R1-60" One-Family, Low-Density Residential District; and,
- 2) Institutions of a religious, educational and philanthropic nature, including libraries.

3. A certified copy of the rezoning ordinance shall be attached hereto, and a certified copy of this document and the rezoning ordinance shall be recorded by the City in the land records of the County recorder to memorialize the rezoning of the Property as identified above.

4. That in the event any portion of the Property is hereafter rezoned to a district classification different from Limited "R-3", then this Acceptance shall be immediately terminated as applied to the real estate so rezoned on the effective date of such rezoning, and the conditions agreed to herein shall be rendered null and void, provided, if there be any such rezoning to a more restricted zoning classification, any then legal actual use of such real estate shall become a legal non-conforming use.

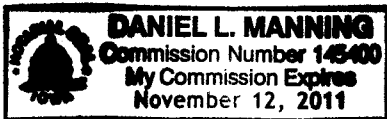
The words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

CATHOLIC WORKER TRUST

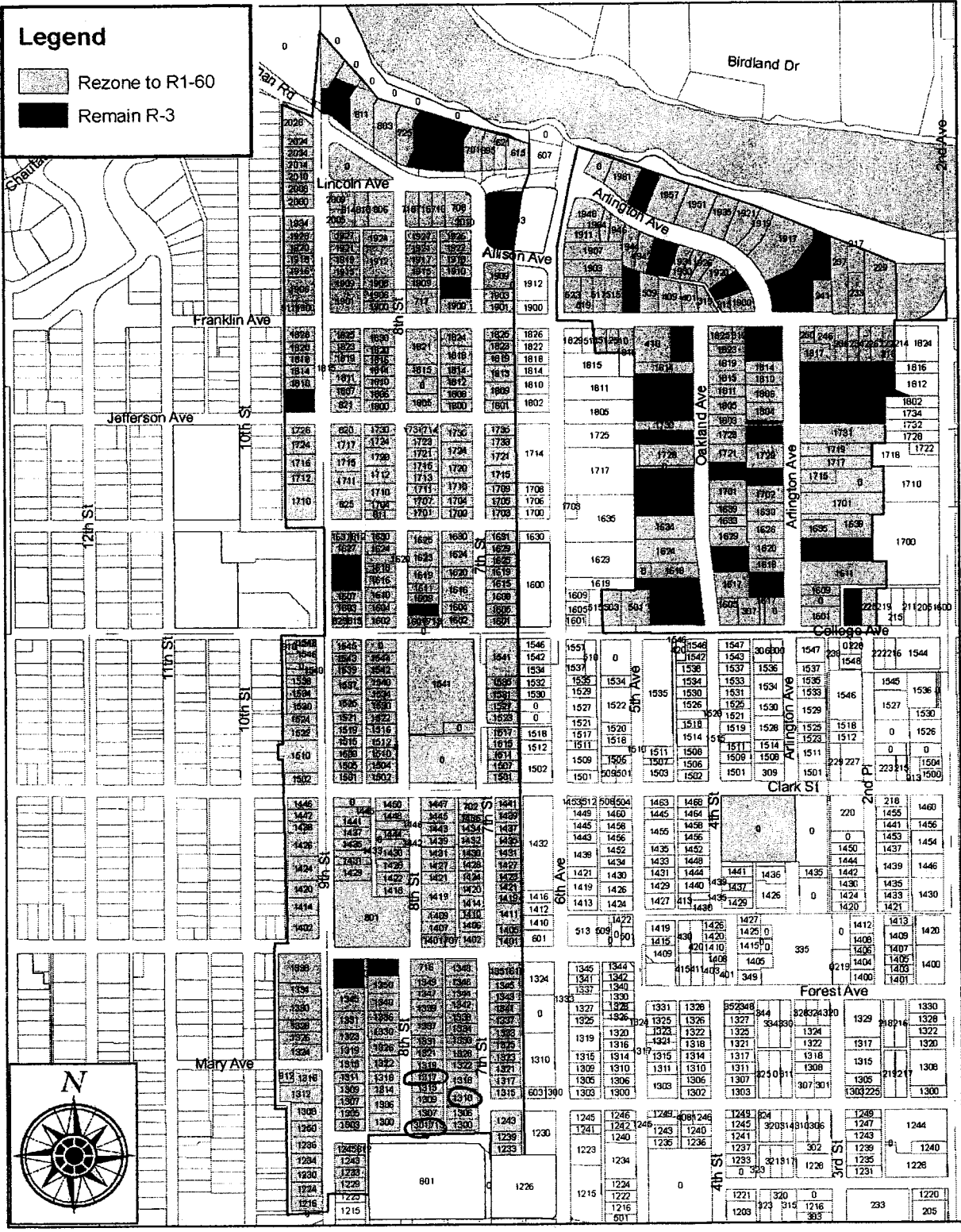
By: FRANK CORDARO
Frank Cordaro, Trustee

STATE OF IOWA)
)ss
COUNTY OF POLK)

This instrument was acknowledged before me on September 19, 2008 by **Catholic Worker Trust**, on behalf of whom the instrument was executed.

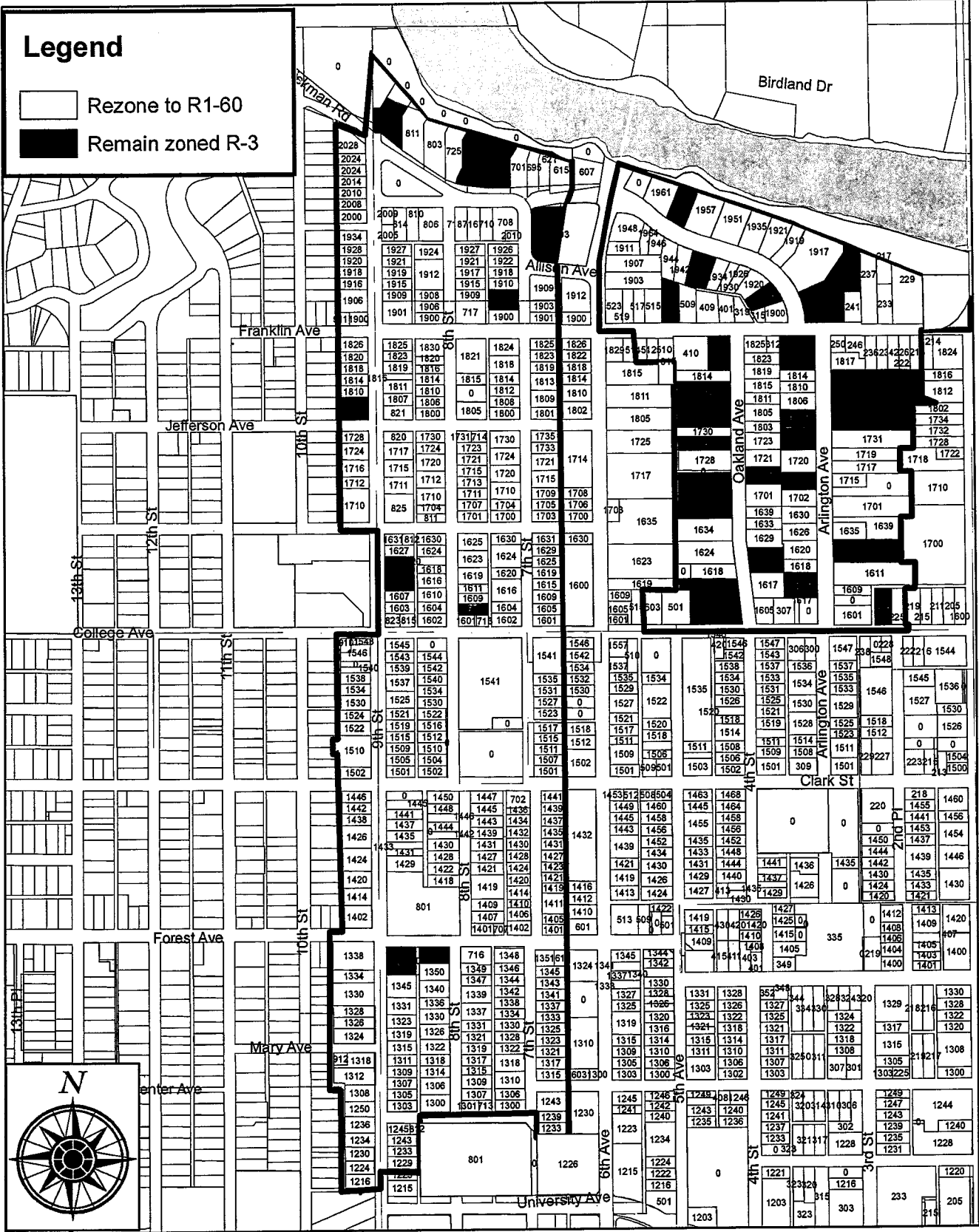


Daniel L. Manning
Notary Public in the State of Iowa
My commission expires: NOV 12, 2011



River Bend rezoning proposal

EXHIBIT B



River Bend rezoning proposal
September 1, 2008

September 3, 2008

Date	_____
Agenda Item	48
Roll Call #	_____

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held August 21, 2008, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 14-0 as follows:



CITY PLAN AND ZONING COMMISSION
 ARMORY BUILDING
 602 ROBERT D. RAY DRIVE
 DES MOINES, IOWA 50309-1881
 (515) 283-4182

ALL-AMERICA CITY
 1949, 1976, 1981
 2003

Commission Action:	Yes	Nays	Pass	Absent
Leisha Barcus	X			
JoAnne Corigliano	X			
Shirley Daniels	X			
Jacqueline Easley	X			
Dann Flaherty	X			
Bruce Heilman	X			
Ted Irvine	X			
Jeffrey Johannsen	X			
Greg Jones	X			
Frances Koontz	X			
Jim Martin	X			
Brian Millard	X			
Mike Simonson	X			
Kent Sovern	X			

APPROVAL of a City Council initiated request from the River Bend Neighborhood Association that the proposed rezoning is in conformance with the Des Moines' 2020 Community Character Plan.

By separate motion Commissioners recommended 14-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Leisha Barcus	X			
JoAnne Corigliano	X			
Shirley Daniels	X			
Jacqueline Easley	X			
Dann Flaherty	X			
Bruce Heilman	X			
Ted Irvine	X			
Jeffrey Johannsen	X			
Greg Jones	X			
Frances Koontz	X			
Jim Martin	X			
Brian Millard	X			
Mike Simonson	X			
Kent Sovern	X			

APPROVAL of a request to rezone property from "R-3" Multiple-Family Residential District and "M-1" Light Industrial District to "R1-60" One-Family Low-Density Residential District.
(ZON2008-00110)

STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Staff recommends the following:

Part A) The proposed rezoning is in conformance with the Des Moines' 2020 Community Character Plan.

Part B) The properties within the subject area be rezoned from "R-3" Multiple-Family Residential District and "M-1" Light Industrial District to "R1-60" One-Family Low-Density Residential District in accordance with the attached map.

Written Responses

36 In Favor

24 In Opposition

STAFF REPORT

I. GENERAL INFORMATION

Over a period of several decades, a significant number of single-family residential dwellings in the River Bend Neighborhood have been converted into multiple-family residential structures. Many of these conversions occurred on parcels that currently do not meet the minimum lot area requirements for the number of dwelling units in the structure. Impacts to the neighborhood have included increased traffic congestion, illegal parking of vehicles due to a lack of off-street parking areas, incompatible additions to structures, and a perception that the area is a less than desirable place to live.

The River Bend Neighborhood Association was formed in 1986 to combat crime, preserve historical structures, and improve nuisance properties. For several years the association has expressed concern about the negative impacts of too much density on residential streets and the substandard rental units within the boundaries of their neighborhood. In general, the River Bend Neighborhood Association does not have issues with "built as" multiple-family residential structures in the area as they were originally designed and constructed to accommodate higher densities.

The River Bend Neighborhood Association opposes future conversions of single-family residential structures into multiple-family residential structures and the construction of new multiple-family structures in residential blocks that are predominantly single-family residential in character.

While the Des Moines' 2020 Community Character Plan designates the subject area as Low / Medium Density Residential, the City's zoning code does not currently contain a true mixed-density residential zoning classification. Therefore, the City Council initiated a proposal to rezone portions of the River Bend Neighborhood to "R1-60", One-Family Low Density Residential District.

The following is a description of how the proposal will affect properties within the requested area:

- Any property within the requested area currently zoned "R-3" Multiple Family Residential District that contains an existing multiple family structure that was originally constructed as a multiple family structure would remain zoned "R-3" Multiple Family Residential District.

- Any property within the requested area currently zoned “R-3” Multiple Family Residential District that contains a single-family residential dwelling converted into a multiple-family residential structure that currently conforms to the “R-3” Multiple Family Residential District zoning would remain zoned “R-3” Multiple Family Residential District.
- Any property within the requested area that has an existing single-family or duplex structure considered to be a conforming use and structure in the “R1-60” One-Family Low-Density Residential District would be rezoned to “R1-60” One-Family Low-Density Residential District.
- Any property within the requested area that was not built as a multiple-family residential structure and does not conform to the current “R-3” Multiple Family Residential Zoning would be rezoned to “R1-60” One-Family Low-Density Residential District.
- This proposal will also rezone portions of three properties currently partially zoned “M-1” Light Industrial District to “R1-60” One-Family Low-Density Residential District.

Attached is a map of the subject area and the proposed zoning for individual properties. Determination of a property’s “conforming” status was based solely on an analysis of lot area and lot width. Further determination of an individual property’s conformity will be necessary at the time of any building permit review.

Finally, the designation of “built-as” multiple-family residential structures is based upon designations of the County Assessor and a brief visual inspection of the neighborhood by City staff. In order to address the dispute of such designations (or lack thereof), the City proposes to have an administrative appeal process where the applicant can submit a letter of appeal and supporting documentation such as property deeds, fire insurance maps, building permits, etc. Said application must be submitted no later than the date of second consideration of the rezoning by the City Council. An administrative decision by the Community Development Director on all appeals of designation will be issued prior to the third and final consideration of the proposed rezoning by the City Council.

SUMMARY OF DISCUSSION

David Dunn: Presented staff report and recommendation.

Dann Flaherty: Submitted letter from Bruce Buldhaupt owner of 1804 Arlington in regards to the history of property, which would make this duplex a legal non-conforming use.

Fran Koontz: Discussion regarding legal non-conforming uses and what it means.

Erik Lundy: Some properties will not be rezoned.

Larry Hulse: Explained that the existing non-conforming uses will be permitted to continue as is, however, if it is destroyed beyond 60 percent then it would lose the legal non-conforming status.

Leisha Barcus: Suggested that some property owners may need to be educated in legal non-conforming uses.

Erik Lundy: Agreed saying that a number of calls were received, with people saying they did not get enough information to make a decision. Also, there is a number of multi-family properties that would be zoned as “R1-60” that currently don’t conform to “R-3”.

CHAIRPERSON OPENED THE PUBLIC HEARING

The following spoke in favor:

Jeanne Johnson, President of the Riverbend Neighborhood Association, 811 Hickman Road: Asked for all those in favor to stand, (approximately 20 in the audience stood). She stated that the neighborhood board has approved unanimously of this rezoning because they believe that the remainder single-family homes deserve to be preserved. She also noted that the City Manager wrote a letter to the City Council explaining the rezoning and identified 68 vacant properties in the neighborhood.

Curt Sytsma 1961 Arlington Avenue: Stated that while he approves of the rezoning he does not want any of his properties rezoned. He wants a provision saying the conforming use is to keep the architecturally significant carriage house as a legitimate rental unit.

Erik Lundy: Explained that two separate single-family houses on a lot currently do not conform under "R-3", so this is an example of non-conforming use situation.

Curt Sytsma: Asked that an exception be made for this property because the use of that property goes back to at least the Colby Family in the 1920's and should be preserved historically.

Fran Koontz: Stated that maybe the City should have a "granny-flat ordinance" that allows for carriage houses which are many times made into conversion apartments for family members.

Brian Millard: Asked if he rents the carriage house.

Curt Sytsma: Stated that it is not rented, the people help out around the property and live there in return for that service.

Leisha Barcus: Stated that she did not think that renting or not was an issue. She noted that she has the same situation with her carriage house in the Waterbury neighborhood.

Brian Millard: Asked if there was an active rental certificate on the carriage house.

Curt Sytsma: Noted that he has an active rental certificate on the carriage house.

The following spoke in opposition:

Dan Manning, 317 6th Avenue, Speaking on behalf of Des Moines Catholic Workers Trust: Stated that the Des Moines Catholic Workers Trust does not object to such a change in the community, but asked for further analysis regarding their properties at 1301 8th Street, 1310 7th Street, 1317 8th Street, and 713 Indiana Avenue. They asked that those particular parcels be exempted from the rezoning so that they maintain their zoning and do not lose their status.

Fran Koontz: Asked if these are multiple-family or single-family homes.

Dan Manning: Noted that these are single-family homes with unrelated tenants.

Fran Koontz: Asked what is the problem.

Dan Manning: They just do not want to lose their "R-3" multiple-family designation.

Dann Flaherty: Asked if there is the likelihood of non-conforming in the near future.

Dan Manning: Stated he would just like to have the flexibility of the use.

Frank Cordaro, member of the Des Moines Catholic Workers Trust: Noted that in the near future there may be more than four unrelated people in the house, which would be temporary.

Tina Johnson, 1900 7th Street: Asked what legal non-conforming and non-conforming means. She would prefer to leave her property "R-3", asked why her neighbor is allowed to remain "R-3" and she is not.

David Dunn: Answered that her property does not currently conform to "R-3" zoning because it does not meet the minimum lot area criteria.

Dann Flaherty: Suggested that Tina Johnson talk to staff after the meeting to learn more about her specific situation.

Brian Millard: Voiced concern that she has not had a rental certificate since last August and asked staff to find out where she stands because if it has been a year she could lose the legal non-conforming status.

Larry Hulse: Stated he will check to find out.

Erik Lundy: Stated that regarding the Des Moines Catholic Workers Trust properties, the zoning officer has indicated that we consider those single-family dwellings for their primary use which does conform under "R1-60". There have been some disputes and enforcement actions over time that have occurred, and that several activities occurring on the property have not complied.

Dann Flaherty: Asked what kind of activities.

Erik Lundy: Answered charitable service in some capacities.

Brian Millard: Stated that they serve meals out of those houses and that people come to get meals and leave. He also asked if those people could sleep there.

Erik Lundy: Noted that he does not know without having Su Donovan here to answer the question.

Larry Hulse: Noted that the question that Erik has raised is not for this board to consider but for the zoning enforcement and owner to work out.

Dann Flaherty: Asked if they were in violation if they were "R-3".

Erik Lundy: No

Dan Manning: Stated that they received notice as a "R-3" property that they were in violation. They have been discussing with Su Donovan about philanthropic uses, therefore do not want to lose their status.

Dann Flaherty: Asked if "R1-60" also permits philanthropic use.

Erik Lundy: Yes can be by Special Permit.

Bruce Heilman: Asked for clarification about whether or not the people live there but are served the meals. Also, asked when the people arrive for meals are they walk-ins or is it an organized transportation.

Dan Manning: Stated that there are about four people that live there and serve the meal and the people that come for the meal are walk-ins.

JoAnne Corigliano: State that she has volunteered and her experience has been not more than two or three people live there the rest are volunteers.

14/48

CHAIRPERSON CLOSED THE PUBLIC HEARING

Bruce Heilman: Stated that the meal service is a wonderful service to offer. However, the activities could be a detriment to the neighborhood.

JoAnne Corigliano: Stated the worker houses have very strict rules as to who can come in and who cannot and they will not allow people who are disruptive or drunk. There are relatively small problems but no more than you would find in a legal conforming place.

Moved staff recommendation determining the proposed rezoning is in conformance with the Des Moines' 2020 Community Character Plan.
(Fran Koontz)

Motion passed 14-0.

Moved staff recommendation to rezone property from "R-3" Multiple-Family Residential District and "M-1" Light Industrial District to "R1-60" One-Family Low-Density Residential District.
(Fran Koontz)

Motion passed 14-0.

Respectfully submitted,



Erik Lundy, AICP
Senior City Planner

EML:clw

Attachment

48
14

City Council initiated request from the River Bend Neighborhood Association to rezone portions of the neighborhood located generally between 6 th Avenue and 9 th Street from University Avenue to the Des Moines River; and between Arlington Avenue and 6 th Avenue from College Avenue to the Des Moines River; not including Commercially zoned property along 6 th Avenue and scattered established or conforming multiple-family dwellings.		File # ZON2008-00110			
Description of Action	Rezone properties from "R-3" Multiple-Family Residential District and "M-1" Light Industrial District to "R1-60" One-Family Low-Density Residential District.				
2020 Community Character Plan	Low/Medium Density Residential and Public/Semi-Public.				
Horizon 2025 Transportation Plan	No Planned Improvements.				
Current Zoning District	"R-3" Multiple-Family Residential District and "M-1" Light Industrial District.				
Proposed Zoning District	"R1-60" One-Family Low-Density Residential District.				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area	36	24			
Outside Area					
Plan and Zoning Commission Action	Approval	14-0	Required 6/7 Vote of the City Council	Yes	
	Denial			No	

Item 2008 00110 Date 8/12/08
 (am) in favor of the request.
 (Circle One)
 Print Name H. D. BASART
 Signature H. D. Basart
 Address 2024 9th St DM 50314

Reason for opposing or approving this request may be listed below:
This neighborhood was platted and built in the mid to late 19th century and should remain its historical footprint and flavors a predominantly single-family neighborhood.

Item River Bend Razors Date 8/12/08
 (am) in favor of the request.
 (Circle One)
 Print Name Sara Henderson
 Signature [Signature]
 Address 2028 74th St DM 50314

Reason for opposing or approving this request may be listed below:
It's the best choice for the neighborhood. We are slowly working a way back to being a safe, welcoming place with pride of ownership. This request will benefit all residents of River Bend.

Item 2008 00110 Date 12 AUGUST 2007

(am) in favor of the request.
 (Circle One)
 Print Name Laura A. Hansen
 Signature [Signature]
 Address 1820 8th Street.

Reason for opposing or approving this request may be listed below:
 I strongly support the rezoning request. Similar rezoning in other neighborhoods had a positive effect. River Bend has many assets, one of which is its beautiful, historic homes. I believe rezoning will encourage restoration to an area of the city that is adjacent to downtown & nearby other thriving neighborhoods. Strengthening River Bend will better the core of the city as a whole. In addition to encouraging restoration efforts, I believe this rezoning will increase property values & influence a decrease in crime, all of which are aspects beneficial to the city of Des Moines as a whole. (and its tax base).

84

Item 2008 00110 Date _____

(am) in favor of the request.

(Circle One)
1602 7TH
1604 7TH
1619 7TH
1625 7TH

Print Name Ray Bryor
Signature Ray Bryor
Address [REDACTED]

Reason for opposing or approving this request may be listed below:

- Greater control of crime in area
- Greater control of population in area

Item 2008 00110 Date 08/12/2008

(am) in favor of the request.

(Circle One)

Print Name Victoria Pappe
Signature [Signature]
Address 1300 7th St

Reason for opposing or approving this request may be listed below:

Area is over populated due to multi-housing development over past 10 yrs.

(am)

84
4

Item 2008 00110 Date 8-12-08

(am) in favor of the request.

(Circle One)

Print Name Darrell D. Rockwell
Signature [Signature]
Address 1547 HILLINGTON AVE.
DES MOINES, MO 503

Reason for opposing or approving this request may be listed below:

I am in favor of the request because it would improve the appearance of this historic neighborhood and help to make a more beautiful Des Moines.

Item 2008 00110 Date 8/14/2008

(am) (am not) in favor of the request.

(Circle One)

Print Name MICHAEL HILDEBRAND
Signature [Signature]
Address 410 FRANKLIN AVE

Reason for opposing or approving this request may be listed below:

RECENTLY PURCHASED AN 8-PLEX AND CONVERTING TO SINGLE FAMILY. NEIGHBORHOOD STABILIZATION IS VERY IMPORTANT TO ME. ALL HOMES IN MY AREA THAT ARE CHARGED UP HAVE LOW RENT AND CANDLOES IS URGENT, WE DONT NEED ANYMORE OF THAT.

Item 2008 00110 Date _____

(am) (am not) in favor of the request.

(Circle One)

Print Name Ralph J. Christian
Signature [Signature]
Address 1701 Oakland Ave.

Reason for opposing or approving this request may be listed below:

We have fought for years to upgrade the residential quality of the River Bend area. This is sorely needed. Mrs. Christian

Item 2008 00110 Date 08/12/2008
 (am) (am not) in favor of the request.
(Circle One)
Print Name Ahne Flatt
Signature [Signature]
Address 2010 7th Street DSH 50319
Reason for opposing or approving this request may be listed below:

48

Item # 0000 00110 Date 0/11/08

(am) (am not) in favor of the request.

(Circle One)

Print Name Deborah Barber

Signature Deborah Barber

Address 1318 8th St., Des Moines, IA
50314

Reason for opposing or approving this request may be listed below:

Item 2008 00110 Date 08/15/08

(am) (am not) in favor of the request.

(Circle One)

Print Name Trong H. Do

Signature Trong H. Do

Address 1337 8th St / Des Moines

Reason for opposing or approving this request may be listed below:

The signing is a good step in the way to improving the traffic and about escape of 6th Ave.

Reason for opposing or approving this request may be listed below:

- 1233
- 7th
- 1243
- 6th
- 1303
- 6th
- 1305
- 6th
- 1315
- 6th
- 1319
- 6th
- 1443
- 6th

Address 1443 - 1443 6th

Signature Allen Reed

Print Name River Bend Daplexes

(am) (am not) in favor of the request.

Item # 008 00110 Date _____

Item 2008 00110 Date 8-15-08

(am) (am not) in favor of the request.

(Circle One)

Print Name Kramer Flats LP

Signature Stella Neill Rom

Address 1433 - 1439 6th Ave

Reason for opposing or approving this request may be listed below:

It should prepare the way
for improving the street usage
of 6th Ave.

Item 2008 00110 Date 8-15-08

(am) (am not) in favor of the request.

(Circle One)

Print Name River Bend LP

Signature Stella Neill Rom

Address 1629 Oakland

Reason for opposing or approving this request may be listed below:

This is an existing duplex and
will be grandfathered in as a
duplex -

Item 2008 00110 Date 8-14-08
 (am) (am not) in favor of the request.
(Circle One)
Print Name Ron Sharp
Signature Ron Sharp
Address 1509 9th Dr. SE 503H

Reason for opposing or approving this request may be listed below:

Item 2008 00110 Date 8/14/08

(am) (am not) in favor of the request.

(Circle One)

Print Name Sheryl Ribbey

Signature Sheryl Ribbey

Address 420 College

Reason for opposing or approving this request may be listed below:

Item 2008 00110 Date 8/16/08

(am) (am not) in favor of the request.

(Circle One)

Print Name Diana Rezac

Signature Diana Rezac

Address 1917 Arlington Av

Reason for opposing or approving this request may be listed below:

Item 2008 00110 Date 8/21/08
Print Name Glenn Gray
Signature Glenn Gray
Address 1613 9th St NW

(am) (am not) in favor of the request.

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AUG 20 2008

COMMUNITY DEVELOPMENT

Reason for opposing or approving this request may be listed below: 1621 gwa
CHILDREN + FAMILIES OF TOWNS

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Item 2008 00110 Date 8-13-08

(am) (am not) in favor of the request.

(Circle One)

Print Name Shirley Snyder
Signature Shirley Snyder
Address 2010 9th St. N.W. S.W. 314

Reason for opposing or approving this request may be listed below:

Item 2008 00110 Date 8/13/08

(am) (am not) in favor of the request.

(Circle One)

Print Name DAN ROYER
Signature Dan Royer
Address 1424 9th St

Reason for opposing or approving this request may be listed below:

This is Very Important to His
Neighborhood Vitality.

Item 2008 00110 Date 8/13/08
Print Name Aaron Todd
Signature Aaron Todd
Address 1334 9th St DSM 52314

(am) (am not) in favor of the request.

(Circle One)

Reason for opposing or approving this request may be listed below:

Item 2008 00110 Date 8-10-08

(am) (am not) in favor of the request.

RECEIVED

Print Name Barbara Orth

AUG 18 2008

Signature Barbara Orth

COMMUNITY DEVELOPMENT DEPARTMENT

Address 1345. 7th St, DSM JA 50314

Reason for opposing or approving this request may be listed below:

Item 2008 00110 Date 8/12/08

(am) (am not) in favor of the request.

(Circle One)

Print Name Gary Kaufman

1537 4th
1538 4th
1542 4th

Signature Gary Kaufman

Address 1537 4th Street

Reason for opposing or approving this request may be listed below:

Single Family dwellings are
the way to go in the
designated area!

87

Item 2008 00110 Date 8-12-08
Print Name Harbor of Hope
Signature [Signature]
Address 1617 Oakland

(am) (am not) in favor of the request

(Circle One)

Reason for opposing or approving this request may be listed below:

2008 00110
7924-34-019
226
-037

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Item 2008 00110 Date 8-15-08

(am) (am not) in favor of the request.

(Circle One)

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Print Name Roger K Thompson

Signature Roger K Thompson

Address 2000 - 9th St
2001 - 10th St

AUG 18 2008

COMMUNITY DEVELOPMENT
DEPARTMENT

Reason for opposing or approving this request may be listed below:

This will be a good thing for our
Neighborhood

Item 2008 00110 Date 8/15/08

(am) (am not) in favor of the request.

(Circle One)

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Print Name Julia Martinussen

Signature Julia Martinussen

Address 217 Franklin Ave.

AUG 18 2008

COMMUNITY DEVELOPMENT
DEPARTMENT

Reason for opposing or approving this request may be listed below:

Reason for opposing or approving this request may be listed below:

Address 1199 10th St Des Moines, IA 50314

Signature [Signature]

Print Name Don L. Curry

(Circle One)

(am) (am not) in favor of the request.

Item 2008 00110

Date 8/12/08

I believe this to be an important
step in bringing back the area. I
encourage my city leaders to
approve the plan

84

Item 2008 00110 Date 07/21/08

(am) (am not) in favor of the request.

(Circle One)

Print Name Gene Harris

Signature [Signature]

Address 1551 Sandspur Rd

Marlton, FL 32751

Reason for opposing or approving this request may be listed below:

Item 2008 00110 Date 8-20-08

(am) (am not) in favor of the request.

(Circle One)

Print Name Ronald M. Whitlatch

Signature [Signature]

Address 1234 Arlington

Reason for opposing or approving this request may be listed below:

Reason for opposing or approving this request may be listed below:

Address 328 7th St. Des Moines 50319

Signature [Signature]

Print Name Richard Vanderhoef

(Circle One)

(am) (am not) in favor of the request

Item 2008 00110 Date 8-24-08

100 many Rentals Rental Properties in poor condition
lowers property values. Too many transient people
in neighborhood. Too much crime

Item 2008 00110 Date 8-16-08

(am) (am not) in favor of the request.

(Circle One)

Print Name M. Bunkers
Signature Bunkers
Address 1614 Arlington

Reason for opposing or approving this request may be listed below:

Item 2008 00110 Date 8-13-08

(am) (am not) in favor of the request.

(Circle One)

Print Name Michael Balchus
Signature Michael Balchus
Address 501 College Ave.

Reason for opposing or approving this request may be listed below:

I have made a large investment in my single family property, and intend to do much more. If the property next door were to increase density from current single family, it would dramatically affect my investment

Item 2008 00110 Date 8-12-08
 (am) (am not) in favor of the request.
(Circle One)
Print Name Deane Johnson
Signature Deane Johnson
Address 511 Hickman Rd
Reason for opposing or approving this request may be listed below:
The rezoning plan is a violation of deed restrictions
plan to reduce density in present future
construction of single family homes in lots
plan has minimal impact on existing properties

48

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Item 2008 00110 Date 8-12-08

(am) in favor of the request.

(Circle One) ✓ PREMIER HOME NETWORK INC

Print Name Cory Kurtz

Signature [Signature]

Address 1315 5th St

Reason for opposing or approving this request may be listed below:

This is an area that is centrally located and close to the downtown area. Many people that rent in this area do not have cars, but have lived there all their life. It can only stand opposite River Bend has not giving a good enough reason to make changes

Item 2008 00110 Date 8/18/08

(am) in favor of the request.

(Circle One) ✓ KAD N. XIDONG

Print Name KAD N. XIDONG

Signature [Signature]

Address 1534 6th Ave, DM

Reason for opposing or approving this request may be listed below:

I think multiple-family dwelling and Commercially zoned property must be rezoned together

44
48

Item 2008 00110 Date 8-15-08

(am) (am not) in favor of the request.

(Circle One)

Print Name Anawim Housing
Signature Alida Pearl Rom
Address 1453 - 1455 6th Ave

Reason for opposing or approving this request may be listed below:

Plan will provide a lower density
Alida and mine friendly to families

Item 2008 00110 Date 8-15-08

(am) (am not) in favor of the request.

(Circle One)

Print Name Anawim Housing
Signature Alida Pearl Rom
Address 512 Clark St

Reason for opposing or approving this request may be listed below:

THANK YOU. NOW CAN WE GET THE HOUSE
AT 1547 4TH CONDEMNED & TORN DOWN?
IT WAS FULL OF RACCOONS & NOW
CHILDREN HAVE BEEN SMASHING OUT
THE WINDOWS. EYESORE!!

Reason for opposing or approving this request may be listed below:

COMMUNITY DEVELOPMENT DEPARTMENT
Address 1531 4TH STREET
Signature R. Stack
Print Name RICHARD J. STACK

AUG 18 2008

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(Circle One)

(am) (am not) in favor of the request.

Item 2008 00110 Date Aug 13 2008

87

41

Item 2008 00110 Date 10 Aug 08

(am not) in favor of the request.
(Circle One)

Print Name Mark C Dagg
Signature Mark C Dagg
Address 1541 7th Street
Des Moines IA 50314

Reason for opposing or approving this request may be listed below:

Most property owners purchased their property for a particular purpose, now a few activists who do not own this property want to make decisions about its usage. The "big hot no cattle syndrome".

Item 2008 00110 Date 08/15/2008

(am not) in favor of the request.
(Circle One)

Print Name LAWRENCE YOUNG
Signature [Signature]
Address 1420 - 7th

Reason for opposing or approving this request may be listed below:

This will not impact legal Non-conforming properties if passed. Zoning regarding those properties is required to positively impact the complex of Riverband

Item 2008 00110 Date 8-19-08
I (am) (am not) in favor of the request.
Print Name Jerry Bergeson
Signature [Signature]
Address 1018 W. Franklin St
Reason for opposing or approving this request may be listed below:

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(Circle One)
AUG 20 2008
COMMUNITY DEVELOPMENT DEPARTMENT
319 FRANKLIN

84

Item _____ Date _____
I (am) (am not) in favor of the request.

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170 8TH
150 9TH
331 9TH
106 7TH
128 7TH
43 17TH
17 FRANKLIN

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AUG 18 2008

COMMUNITY DEVELOPMENT
DEPARTMENT

Print Name HOLLIE HUGHES
Signature Hollie Hughes
Address 1431-7th St Apt T

Reason for opposing or approving this request may be listed below:

This ruling of past will change my rental status from VR3 to R1 and this will take away my Rental Income as this is my income that I and my wife live on as I am retired and unable to work,

Item 2008 00110 Date 8-18-08

I (am) (am not) in favor of the request.

SECOND CARD
Hollie

(Circle One)

Print Name NITA HUGHES
Signature Nita Hughes
Address 1431-7th St

Reason for opposing or approving this request may be listed below:

I oppose this order as it will change our rental status and this is our main source of income we live on, I will oppose this reasoning

Item 2008 00110 Date 8-20-2008

I (am) (am not) in favor of the request.

(Circle One)

1906 9TH
1913 10TH

?

Print Name RANDALL WILSON
Signature Randall C. Wilson
Address 1906 9th St.

Reason for opposing or approving this request may be listed below:

Item 2008 00110 Date 14 Aug 08

I (am) (am not) in favor of the request.

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AUG 18 2008

COMMUNITY DEVELOPMENT DEPARTMENT

MacDonald Letter Ser.

Print Name Mick Daggay Sec./Treas.

Signature *Mick Daggay*

Address 215/219 College Ave.

Reason for opposing or approving this request may be listed below:

The property will be devalued.

Item 2008 00110

I (am) (am not) in favor of the request.

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AUG 18 2008

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name Kristin Maahs

Signature *K Maahs*

Address 1321 8th St

Reason for opposing or approving this request may be listed below:

Item 2008 00110 Date 8-12-08

I (am) (am not) in favor of the request.

(Circle One)

Print Name Barbara S. Williams

Signature *Barbara S. Williams*

Address 1505 Randolph Ave

Reason for opposing or approving this request may be listed below:

The one thing that I oppose on regarding is taking away history. But in the end I need improvements in the area

8/14/08

Item 2008 00110 Date August 15, 2008

I (am) (am not) in favor of the request.

(Circle One)

Print Name DR. SABER KHAN

Signature *Saber Khan*

Address 1537 6th Av., Des Moines, IA

Reason for opposing or approving this request may be listed below:

Blank lines for additional information or reasons.

Item 2008 00110 Date 8/14/08

I (am) (am not) in favor of the request.

(Circle One)

Print Name Dorothy L. Schuster

Signature *Dorothy L. Schuster*

Address 1935 Arlington Ave

COMMUNITY DEVELOPMENT DEPARTMENT

Reason for opposing or approving this request may be listed below:

My neighbors Mr. D. Sears and Diana Rehab depend on rent to pay taxes. I find no problem with duplex as long as we have

Item 2008 00110 Date 13 Aug 08

I (am) (am not) in favor of the request.

(Circle One)

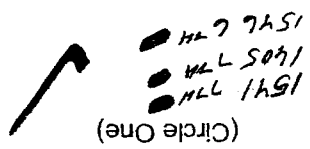
Print Name Lee Ann Daggly

Signature *Lee Ann Daggly*

Address 1541 7th St. Des Moines, IA 50314

Reason for opposing or approving this request may be listed below:

You do not need to make decisions for the use of our property. The rule businesses on both colleges have only brought problems to us. Focus on changing the character of the people.



88 14

Item 2008 00110 Date 8/14/08

14 I (am) in favor of the request.

(Circle One)

Print Name Cole Lindholm
Signature *Cole Lindholm*
Address Bethel Mission
1310 6th Ave.

Reason for opposing or approving this request may be listed below:

Would prohibit us from expanding our Bethel Mission Facility to our vacant lot. We may want to build a facility to house multiple families on this vacant lot & for sell this lot to be used for same purpose.

Item 2008 00110 Date 8/14/08

I (am) in favor of the request.

(Circle One)

Print Name John Marris
Signature *John Marris*
Address 1331 8th St

Reason for opposing or approving this request may be listed below:

I got this card later. Against - need diversity in neighborhood - should remain open to developers - no need to change this. Very few neighbors...I accept missroops to go - lot of open space in area + house

Item 2008 00110 Date 8-12-08

I (am) in favor of the request.

(Circle One)

Print Name Aaron Festoyand
Signature *Aaron Festoyand*
Address 1507 7th St

Reason for opposing or approving this request may be listed below:

Have a duplex that would be affected by zoning changes.

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Item 2008 00110 Date 8-12-08

I (am) in favor of the request.

RECEIVED

Print Name Tina Johnson
Signature [Signature]
Address 1900-17th St

AUG 18 2008

COMMUNITY DEVELOPMENT DEPARTMENT

Reason for opposing or approving this request may be listed below:

I purchased this property in May as a multiple family dwelling. I am currently renovating the property. My intentions have been to rent the 4 units when complete to have this change now is not right.

Item 2008 00110 Date 8/11/08

I (am) in favor of the request.

(Circle One)

Print Name Ken Downing
Signature [Signature]
Address 1310 9th

1259 10th
1308 9th
1312 9th
1318 9th
212 MAPLE

Reason for opposing or approving this request may be listed below:

I have a large investment car rental property which has been rental for many years. This is also my retirement income

Item 2008 00110 Date 8-12-08

I (am) in favor of the request.

(Circle One)

Print Name Jo Meade
Signature [Signature]
Address 177-13th Street

Reason for opposing or approving this request may be listed below:

The property shown is part of my annual income. It is in compliance w/ city code and is not on any zone or left p.

84

Item 2071 00110

Date August 19, 2008

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I (am) (am not) in favor of the request.

(Circle One)

Print Name Bruce Buldhaupt

Signature Bruce Buldhaupt

Moines

Address 1804 Arlington Ave

Reason for opposing or approving this request may be listed below:



- 1) ~~Property was purchased in 1997 as a conforming 4 Plex~~
- 2) ~~I converted the property from a 4 Plex to a Duplex in 2003.~~
- 3) ~~Under the current proposal I would not be able to rebuild the property again as a Duplex~~
- 4) ~~I have met the intent of rezoning (Density Reduction) when I converted from a 4 Plex to a Duplex in 2003~~
- 5) ~~The proposal could affect future income and marketability if unable to rebuild as a Duplex~~

al I hereby

asons:

x.

- 1) ~~Property was purchased in 1997 as a conforming 4 Plex~~
- 2) I converted the property from a 4 Plex to a Duplex in 2003.
- 3) Under the current proposal I would not be able to rebuild the property again as a Duplex.
- 4) I believe I have already met the intent of the rezoning (Density reduction) when I converted the property from a 4 Plex to a Duplex in 2003.
- 5) The proposal could affect future income as well as its marketability if I were unable to rebuild as a Duplex.

Respectfully,

Bruce & Preshia Buldhaupt

Owner: 1804 Arlington Ave, Des Moines, IA

Residence: 1548 29, Des Moines, IA, 50311

Item 2008 00110 Date Aug 12, 2008

I (am) in favor of the request.

(Circle One) Print Name Catholic Worker Trust

Signature Frank Carraway

Address 1310 - 8th St

Reason for opposing or approving this request may be listed below:

We oppose this rezoning because it will change the character of our neighborhood and make it more difficult for us to do what we been doing the last 30 years.

Item 2008 00110 Date Aug 12, 2008

I (am) in favor of the request.

(Circle One) Print Name Catholic Worker Trust

Signature Frank Carraway

Address 1301-8th St + 713 Indiana Ave

Reason for opposing or approving this request may be listed below:

We oppose this rezoning because it will change the character of our neighborhood and make it more difficult for us to do what we been doing the last 30 years.

Date Aug 12, 2008

Item 2008 00110

I (am) in favor of the request.

(Circle One)

Print Name Catholic Worker Trust

Signature Frank Carraway

Address 1310 - 8th St.

Reason for opposing or approving this request may be listed below:

We ~~are~~ oppose this rezoning because it will change the character of our neighborhood and make it more difficult for us to do what we been doing the last 30 years.

Handwritten initials "sh" and "8h" at the bottom left.

48
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To: City Planning and Zoning Commission

From: Bruce Buldhaupt: Owner of 1804 Arlington Ave, Des Moines

Subject: River Bend Neighborhood Rezoning Proposal

Dear Mr. Flaherty:

Pursuant to the proposed River Bend Rezoning proposal I hereby request that my property remain R-3 due to the following reasons:

- 1) Property was purchased in 1997 as a conforming 4 Plex.
- 2) I converted the property from a 4 Plex to a Duplex in 2003.
- 3) Under the current proposal I would not be able to rebuild the property again as a Duplex.
- 4) I believe I have already met the intent of the rezoning (Density reduction) when I converted the property from a 4 Plex to a Duplex in 2003.
- 5) The proposal could affect future income as well as its marketability if I were unable to rebuild as a Duplex.

Respectfully,

Bruce & Preshia Buldhaupt

Owner: 1804 Arlington Ave, Des Moines, IA

Residence: 1548 29, Des Moines, IA, 50311

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